

REMARKS

INTRODUCTION:

In accordance with the foregoing, claim 23 has been canceled without prejudice or disclaimer, claims 1, 4, 12, 13, 16, 17, 21, 27, 29-31, and 35 have been amended, and claims 37-40 have been added.

No new matter is being presented, and approval and entry of the foregoing amendments and new claims are respectfully requested.

Claims 1-22 and 24-40 are pending and under consideration. Reconsideration is requested.

CONSIDERATION OF INFORMATION DISCLOSURE STATEMENT:

In the Office Action at page 1, the Examiner indicates that the Information Disclosure Statement filed as paper 3 was considered, but did not indicate whether the Information Disclosure Statement filed June 12, 2003 has been considered. A copy of the Information Disclosure Statement is included for the convenience of the Examiner. Since the Information Disclosure Statement was properly filed in accordance with 37 CFR 1.97(b), it is respectfully requested that the Examiner consider the Information Disclosure Statement filed June 12, 2003.

REJECTION UNDER 35 U.S.C. §102:

1. Rejection of claims 1, 8, 11, 15-20, and 23 in view of Kuwajima et al.

In the Office Action at page 2, the Examiner rejects claims 1, 8, 11, 15-20, and 23 under 35 U.S.C. §102(b) in view of Kuwajima et al. (European Patent Publication No. 0 884 731). This rejection is respectfully traversed and reconsideration is requested.

As an initial point of clarification, claim 23 has been cancelled without prejudice or disclaimer, and has been incorporated into claim 17 such that claim 17 has the same scope as claim 23 as filed.

Moreover, claim 1 recites, among other features, "a mass body disposed around said deck plate" and "a flexibly changeable connection member having a first end that connects with and extends through said deck plate and a second end that connects with said mass body so as to allow a reciprocal action between said mass body and said deck plate," "wherein the reciprocal action of said mass body and said connection member reduces a vibration generated when the disk spins."

In contrast, Kuwajima et al. discloses a damper 100 having a weight 15 disposed between two gel members 19. The weight 15 and gel members 19 are disposed above the

substrate 1 by a holder 18. (Page 5, lines 9-28; FIGs. 2 through 4(b) of Kuwajima et al.) There is no suggestion or disclosure that a portion of the damper 100, such as the gel members 19, extends through the substrate 1. As such, it is respectfully submitted that Kuwajima et al. does not disclose the features of claim 1.

Moreover, while Kuwajima et al. discloses the damper 100 having a weight 15 disposed between two gel members 19, there is no disclosure that the gel members 19 and the weight 15 are of a same material or are otherwise formed as a combined member using an injection molding process. As such, it is respectfully submitted that Kuwajima et al. does not disclose at least that "said mass body and said connection member comprise a combined member using an injection molding process" as recited in claim 16.

Additionally, there is no suggestion or disclosure that the gel members 19 shown in FIG. 4(b) or the gel members 21a through 21f shown in FIG. 8 have flanges extending from a body. In contrast, claim 17 recites, among other features, "a flexible connection member adapted to be connected to the movable plate," where "said connection member comprises a body, and flanges extending outward from the body to support said mass body apart from the movable plate." As such, it is respectfully submitted that Kuwajima et al. does not disclose or suggest the invention recited in claim 17.

Claims 8, 11, 15, and 18-20 are deemed patentable due at least to their depending from corresponding claims 1 and 17.

2. Rejection of claims 1-3, 8-10, 14, 16, 17, 20, 27-29, and 32-36 in view of Kuwajima et al.

In the Office Action at page 2, the Examiner rejects claims 1-3, 8-10, 14, 16, 17, 20, 27-29, and 32-36 under 35 U.S.C. §102(b) in view of Kaneda (Japanese Patent Publication No. 60-182086). This rejection is respectfully traversed and reconsideration is requested.

From the Abstract and FIGs. 1-3 of Kaneda, Kaneda appears to disclose an absorbing means 14 having a vibration-absorbing member 13 of an elastic body and a weight 12. However, as shown in FIGs. 1 and 3, the vibration-absorbing member 13 does not appear to extend through the base 6 or the overhang 11, whereas claim 1 recites, among other features, "a mass body disposed around said deck plate" and "a flexibly changeable connection member having a first end that connects with and extends through said deck plate and a second end that connects with said mass body so as to allow a reciprocal action between said mass body and said deck plate," "wherein the reciprocal action of said mass body and said connection member reduces a vibration generated when the disk spins." As such, it is respectfully submitted that Kaneda does not disclose or suggest the invention recited in claim 1.

For similar reasons, it is respectfully submitted that Kaneda does not disclose or suggest the invention recited in claim 27.

Moreover, there is no suggestion that the vibration-absorbing member 13 and the weight 12 are of a same material or are otherwise formed as a combined member using an injection molding process. As such, it is respectfully submitted that Kaneda does not disclose at least that "said mass body and said connection member comprise a combined member using an injection molding process" as recited in claim 16.

Additionally, there is no suggestion or disclosure that the vibration-absorbing member 13 has flanges extending from a body of the vibration-absorbing member 13. In contrast, claim 17 recites, among other features, "a flexible connection member adapted to be connected to the movable plate," where "said connection member comprises a body, and flanges extending outward from the body to support said mass body apart from the movable plate." As such, it is respectfully submitted that Kaneda does not disclose or suggest the invention recited in claim 17.

Claims 2, 3, 8-10, 14, 20, 28, 29, and 32-36 are deemed patentable due at least to their depending from corresponding claims 1, 17, and 27.

STATUS OF CLAIMS NOT REJECTED:

On page 2 of the Office Action, the Examiner objects to claims 4-7, 12, 13, 21, 22, 24-26, 30, and 31 for depending from corresponding rejected claims. Since claims 4, 12, 13, 21, 30 and 31 have been made independent without narrowing the scope of the respective claims, it is respectfully requested that the Examiner reconsider and withdraw the objection to claims 4-7, 12, 13, 21, 22, 30 and 31.

PATENTABILITY OF NEW CLAIMS:

It is respectfully submitted that claim 37 generally corresponds to claim 13 without reciting the limitation of claim 3. As such, it is respectfully submitted that, consistent with the Examiner's objection to claim 13 on page 2 of the Office Action, claim 37 is at least patentable due at least to the prior art not disclosing or suggesting a dynamic vibration absorber that includes, among other features, "a deck plate movably supported by said deck base to support a spindle motor that spins the disk," "a mass body disposed around said deck plate," and "a flexibly changeable connection member that connects said deck plate and said mass body so as to allow a reciprocal action between said mass body and said deck plate," where "the reciprocal action of said mass body and said connection member reduces a vibration generated when the

disk spins, and said mass body is disposed on a side of said deck plate to reduce a vibration in a direction perpendicular to the side of said deck plate" as recited in claim 37.

Claims 38-40 are deemed patentable due at least to their depending from claim 17.

CONCLUSION:

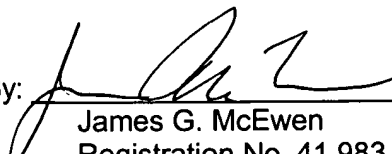
In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, it is respectfully submitted that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any additional fees associated with the filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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